



**ASSEMBLY AMENDMENT 5,
TO 1995 ASSEMBLY BILL 293**

September 28, 1995 - Offered by Representatives GUNDERSON, TRAVIS, GOETSCH,
WOOD and DOBYNS.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 8, line 8: after that line insert:

3 “(am) When a respondent surrenders firearms under par. (a) 2., the sheriff who
4 is receiving the firearms or the person designated by the respondent and approved
5 by the judge or family court commissioner who is receiving the firearms, whichever
6 is applicable, shall prepare a list of firearms surrendered to him or her. The list shall
7 include a brief description, including the serial number, of each firearm surrendered
8 and, to the extent that the sheriff or other person receiving the firearms is able to
9 determine, the owner of each firearm. A list prepared under this paragraph shall be
10 signed by the respondent and by the sheriff or other person to whom the firearms are
11 surrendered. The original of a list prepared under this paragraph shall be filed with
12 the clerk of court for inclusion in the court’s file for the proceeding in which the
13 injunction was issued, and the sheriff or other person to whom the firearms are
14 surrendered shall retain a copy of the list and provide a copy of the list to the
15 respondent.”.

16 **2.** Page 8, line 15: after that line insert:

1 “(bm) Before returning a firearm under par. (b), the sheriff to whom the firearm
2 was surrendered shall, to the extent possible, conduct a check to determine whether
3 the firearm being returned is stolen or would otherwise not be in the rightful
4 possession of the respondent. If the firearm was surrendered to a person other than
5 a sheriff, the person to whom the firearm was surrendered shall request the sheriff
6 of the county in which he or she resides or the sheriff of the county in which the
7 respondent resides to conduct a check to determine whether the firearm being
8 returned is stolen or would otherwise not be in the rightful possession of the
9 respondent.”.

10 **3.** Page 8, line 22: after the period insert: “At a hearing under this paragraph,
11 a list prepared under par. (am) indicating that a person is the owner of a firearm is
12 prima facie evidence that that person is the owner of the firearm.”.

13 **4.** Page 9, line 22: after that line insert:

14 “(am) When a respondent surrenders firearms under par. (a) 2., the sheriff who
15 is receiving the firearms or the person designated by the respondent and approved
16 by the judge or court commissioner who is receiving the firearms, whichever is
17 applicable, shall prepare a list of firearms surrendered to him or her. The list shall
18 include a brief description, including the serial number, of each firearm surrendered
19 and, to the extent that the sheriff or other person receiving the firearms is able to
20 determine, the owner of each firearm. A list prepared under this paragraph shall be
21 signed by the respondent and by the sheriff or other person to whom the firearms are
22 surrendered. The original of a list prepared under this paragraph shall be filed with
23 the clerk of court for inclusion in the court’s file for the proceeding in which the
24 injunction was issued, and the sheriff or other person to whom the firearms are

1 surrendered shall retain a copy of the list and provide a copy of the list to the
2 respondent.”.

3 **5.** Page 10, line 5: after that line insert:

4 “(bm) Before returning a firearm under par. (b), the sheriff to whom the firearm
5 was surrendered shall, to the extent possible, conduct a check to determine whether
6 the firearm being returned is stolen or would otherwise not be in the rightful
7 possession of the respondent. If the firearm was surrendered to a person other than
8 a sheriff, the person to whom the firearm was surrendered shall request the sheriff
9 of the county in which he or she resides or the sheriff of the county in which the
10 respondent resides to conduct a check to determine whether the firearm being
11 returned is stolen or would otherwise not be in the rightful possession of the
12 respondent.”.

13 **6.** Page 10, line 12: after the period insert: “At a hearing under this paragraph,
14 a list prepared under par. (am) indicating that a person is the owner of a firearm is
15 prima facie evidence that that person is the owner of the firearm.”.

16 **7.** Page 11, line 8: after that line insert:

17 “(am) When a respondent surrenders firearms under par. (a) 2., the sheriff who
18 is receiving the firearms or the person designated by the respondent and approved
19 by the judge or court commissioner who is receiving the firearms, whichever is
20 applicable, shall prepare a list of firearms surrendered to him or her. The list shall
21 include a brief description, including the serial number, of each firearm surrendered
22 and, to the extent that the sheriff or other person receiving the firearms is able to
23 determine, the owner of each firearm. A list prepared under this paragraph shall be
24 signed by the respondent and by the sheriff or other person to whom the firearms are

1 surrendered. The original of a list prepared under this paragraph shall be filed with
2 the clerk of court for inclusion in the court's file for the proceeding in which the
3 injunction was issued, and the sheriff or other person to whom the firearms are
4 surrendered shall retain a copy of the list and provide a copy of the list to the
5 respondent.”.

6 **8.** Page 11, line 15: after that line insert:

7 “(bm) Before returning a firearm under par. (b), the sheriff to whom the firearm
8 was surrendered shall, to the extent possible, conduct a check to determine whether
9 the firearm being returned is stolen or would otherwise not be in the rightful
10 possession of the respondent. If the firearm was surrendered to a person other than
11 a sheriff, the person to whom the firearm was surrendered shall request the sheriff
12 of the county in which he or she resides or the sheriff of the county in which the
13 respondent resides to conduct a check to determine whether the firearm being
14 returned is stolen or would otherwise not be in the rightful possession of the
15 respondent.”.

16 **9.** Page 11, line 22: after the period insert: “At a hearing under this paragraph,
17 a list prepared under par. (am) indicating that a person is the owner of a firearm is
18 prima facie evidence that that person is the owner of the firearm.”.

19 (END)